

MINUTES

CASE NUMBER: 1:21-CV-00457-MWJS-KJM

CASE NAME: Scarlet Honolulu, Inc.; Walter Enriquez v. Honolulu
Liquor Commission

ATTYS FOR PLAS: *James Dennis DiPasquale

ATTYS FOR DEFT: *Lex R. Smith
*Aaron R. Mun
Zachary K. Shikada

JUDGE:	Micah W.J. Smith	REPORTER:	Cynthia Fazio
DATE:	10/02/2024	TIME:	09:00 am – 10:25 am 10:40 am – 12:21 pm 12:51 pm – 02:28 pm 02:43 pm – 03:15 pm

COURT ACTION: EP: NON-JURY TRIAL (DAY 3) held.

Plaintiff Walter Enriquez, present.

Robert Baldwin, client representative for Plaintiff, also present.

Salvador Petilos, Administrator for Honolulu Liquor Commission, also present.

Plaintiff's Witnesses (sworn & testified):

- *7) Peter Nakagawa. *Taken out of order. (Direct, Cross, and Re-direct Examination)
Admitted Exhibits: P-51, 132, and 133.
- 6) Franklin Donald Pacaro. (Cross, and Re-direct Examination)
Admitted Exhibits: 002.
- 8) Frederick Kruse. (Direct, Cross, and Re-direct Examination)
Admitted Exhibits: P-60, P-61, and P-68.
- 9) Hui Chen. (Direct, Cross, and Re-direct Examination)
Admitted Exhibit: P-23

In light of the testimony of Hui Chen and Defendant's withdrawal of it's motion to preclude the testimony or report of Ms. Chen, [198] Plaintiffs' Motion in Limine No. 1 to Admit Report Entitled "Liquor Administration Enforcement System Review: Report of Findings & Recommendations" as a Public Record, [199] Plaintiffs' Motion in Limine No. 2 Seeking to Admit the Testimony of Hui Chen, and [173] Defendant's Motion in

Limine No. 7 to Exclude the Testimony of Hui Chen, are all- DENIED AS MOOT. The Hui Chen Report Exhibit P-23 is ADMITTED.

To correct the error of Ms. Hirai's testimony, the Court accepts the parties factual stipulation that was proposed in court, on the record: Mr. Quesada's swearing in ceremony was not held at the same time as Mr. Waite's swearing in ceremony, they were in fact a week apart from each other.

Further Non-Jury Trial (Day 4) is SET for October 3, 2024, at 9:00 am in Aha Kaulike, before the Honorable Micah W.J. Smith.

Submitted by: Rachel Sharpe, Courtroom Manager